

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
AT CHATTANOOGA

UNITED STATES OF AMERICA)	
)	Case No. 1:05-CR-50
vs.)	
)	JUDGE CURTIS L. COLLIER
)	MAGISTRATE JUDGE LEE
RICHARD D. GORDON)	

REPORT AND RECOMMENDATION

Counsel for defendant Richard D. Gordon requested a psychiatric/psychological evaluation of defendant on June 15, 2005 [Doc. No. 5] and an order was entered on June 22, 2005 allowing said evaluation [Doc. No. 18]. An October 3, 2005 letter from Cole Jeter, Warden of the Federal Bureau of Prisons, in Ft. Worth, Texas, and a Forensic Evaluation of defendant Richard D. Gordon, were received by the Court. The findings in the evaluation are the defendant is not suffering from a mental disease or defect rendering him mentally incompetent to the extent he is unable to understand the nature and consequences of the proceedings filed against him or assist his attorney in his defense, and the defendant did not appear to suffer from a mental disease or defect rendering him unable to appreciate the nature, quality, or wrongfulness of his alleged offense. Defendant filed a Waiver of Competency Hearing pursuant to 18 U.S.C. § 4247(d) on June 14, 2006 [Doc. No. 41]. On the basis of the waiver and the evaluation, it is **RECOMMENDED** the Court find defendant Richard D. Gordon competent to understand the nature and consequences of the proceedings against him and able to assist in his defense, and further find defendant is competent to stand trial.

SO ORDERED:

ENTER.

s/ Susan K. Lee
SUSAN K. LEE
UNITED STATES MAGISTRATE JUDGE